

Before the  
Federal Communications Commission  
Washington, D.C. 20554

In the Matter of ) MM Docket No. 96-190  
 )  
 LAMOILLE BROADCASTING and )  
 COMMUNICATIONS )  
 )  
 Licensee of Station WLVC(AM) )  
 Fort Kent, Maine )  
 )  
 Order to Show Cause Why the )  
 License for Station WLVC(AM) )  
 Fort Kent, Maine )  
 Should Not Be Revoked )

**ORDER**

**Adopted:** December 6, 1996

**Released:** December 10, 1996

By the Chief, Mass Media Bureau:

1. This proceeding began on September 10, 1996, when the Mass Media Bureau released its Order to Show Cause and Hearing Designation Order, DA 96-1507 ("HDO"). The HDO ordered Lamoille Broadcasting and Communications ("Lamoille") to show cause why the license for WLVC(AM) Fort Kent, Maine should not be revoked. The HDO specified issues to determine whether Lamoille has the capability and intent to expeditiously resume broadcast operations of WLVC(AM); to determine whether Lamoille violated Sections 73.1740 (Minimum Operating Schedule) and/or 73.1750 (Discontinuance of Operation) of the Commission's Rules; and to determine whether, in light of the evidence adduced, Lamoille possesses the requisite qualifications to remain a Commission licensee.

2. By Order, FCC 96M-248, released November 7, 1996, Administrative Law Judge John M. Frysiak terminated the hearing proceeding because Lamoille failed to file the requisite notice of appearance. Pursuant to Section 1.92 of the Commission's Rules, the Judge also certified the case to the Commission.

3. The Commission's records indicate that WLVC(AM) has been off the air since March 7, 1994, and off the air without authority since September 5, 1995. In light of the foregoing, we conclude that Lamoille has no intent to resume broadcast operations and has violated Sections 73.1740 and 73.1750 of the Commission's Rules. We therefore further conclude that Lamoille is not qualified to remain the licensee of Station WLVC(AM). Although the HDO included a Notice of Apparent Liability for willful or repeated violations of Commission rules, because of

the action taken herein, no forfeiture is being imposed.

4. Accordingly, **IT IS ORDERED**, that the license of Lamoille Broadcasting and Communications for WLVC(AM), Fort Kent, Maine, **IS REVOKED**.<sup>1</sup>

5. **IT IS FURTHER ORDERED**, that the call sign for Station WLVC(AM) is hereby **DELETED**.

6. **IT IS FURTHER ORDERED**, that this proceeding **IS TERMINATED**.

7. **IT IS FURTHER ORDERED**, that a copy of this Order shall be sent by Certified Mail - Return Receipt Requested to Lamoille Broadcasting and Communications.

FEDERAL COMMUNICATIONS COMMISSION

  
Roy J. Stewart  
Chief, Mass Media Bureau

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<sup>1</sup> The Mass Media Bureau has been given delegated authority to issue revocation orders in silent station cases. See Radio Northwest Broadcasting Company, 4 FCC Rcd 596, n. 3 (1989).